

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6439

BILL NUMBER: SB 105

NOTE PREPARED: Nov 19, 2004

BILL AMENDED:

SUBJECT: Background Checks.

FIRST AUTHOR: Sen. Long

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill permits an employer to request a limited criminal history check of an employee who provides services involving contact with children, the mentally ill, or the disabled. The bill makes conforming amendments.

Effective Date: July 1, 2005.

Explanation of State Expenditures: This bill allows an employer to request a limited criminal history check for an employee who provides services that involve contact with children, the mentally ill, or the disabled. The fiscal impact of this bill is unknown, however, it is likely minimal.

It does not require any entity to obtain a limited criminal history check for employees; it only allows them to do so. Furthermore, the majority of government persons who are employed by a noncriminal justice organization to provide services that involve contact with, care of, or supervision over a child or over an individual who is mentally ill, physically disabled, or developmentally disabled, work for the Family and Social Services Administration (FSSA) or a school corporation. Both entities are exempt from any fees that are associated with limited criminal history background checks (see *Background Information*).

The increase in expenditures for other government entities falling under the requirements of this bill is dependent on (1) the number of persons that the entity chooses to conduct limited criminal history checks for and (2) whether the entity is eligible for a fee exemption.

Indiana State Police: The Indiana State Police maintain the criminal history data base. Any additional staff

and computer time required would likely be able to be absorbed within existing resources.

Background Information:

Fees: The non-accessIndiana subscriber fee is \$16.32 per limited criminal history check. AccessIndiana subscribers are charged \$15 per search, and government agencies are charged \$7. There is a \$50 annual access Indiana subscriber fee. A limited criminal history check is also available through the mail for \$7. Fees are ultimately deposited into the state General Fund.

Fee Exemptions: Various fee exemptions exist. Exempt entities include nonprofit organizations that have been in existence for at least ten years and that (1) have a primary purpose of providing a one-on-one relationship between a child and an adult volunteer and the request is made as part of a background investigation of the prospective adult volunteer for the organization, (2) a licensed home health agency; (3) is a community mental retardation and other developmental disabilities center, (4) a licensed supervised group living facility; (5) an area agency on aging; (6) a community action agency; (7) an owner or operator of a hospice program; or (8) is a community mental health center. Other exempt agencies include the Family and Social Services Administration, school corporations, and nonpublic schools. Partial exemptions are available for organizations that are registered with the Indiana Department of Revenue as an Indiana Registered 501 charitable nonprofit group that works with children.

Explanation of State Revenues: See *Explanation of State Expenditures*.

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration.

Local Agencies Affected:

Information Sources: Steve Hillman, Indiana State Police, 232-5899.

Fiscal Analyst: Sarah Brooks, 317-232-9559.